

DECISION NOTICE:

Montana Fish, Wildlife & Parks Purchase of a Permanent Recreational Use Easement for 357 acres of Montana Department of Natural Resources and Conservation Owned Land Near Glendive

Montana Fish, Wildlife & Parks
Industrial Site West
P O Box 1630
Miles City, MT 59301
(406) 234-0900
April 9, 2007

DESCRIPTION OF THE PROPOSED ACTION

Proposed action is for Montana Fish, Wildlife and Parks (FWP) to purchase a permanent recreational use easement for 357 acres of land from Montana Department of Natural Resources and Conservation for the purpose of the future development of a rifle range on the site. Subsequent development of the site will be addressed in a future EA following acquisition of the recreation use easement. That EA will focus upon development actions including: location of an access road, facility design, and appropriate mitigation measures for the development activities.

PUBLIC PROCESS AND COMMENT

The public comment period for the draft Environmental Assessment for the proposed project began March 6, 2007 and ran through March 27, 2007. The Environmental Assessment was posted on the Montana State's electronic bulletin board and distributed to individuals known to have an interest in the project in the Glendive area and statewide. There were five public comments received during the comment period. Four of those comments were in favor of the proposed alternative, Alternative B. The fifth comment was in favor of the no action alternative, Alternative A. and submitted the following in opposition to FWP's proposal of a perpetual recreation easement:

- 1) The draft EA be corrected and reissued;
- 2) Legal notices informing the people of their right to provide comment be reissued noting that:
 - a) A public meeting will be held in Glendive;
 - b) A 30-day period of public written comment will follow the meeting;
- 3) FWP be given 15-days to gather, analyze and report the public comment;
- 4) The FWP commissions be given 15-days to review the public comment prior to making any decision as to whether to present the request for the easement to the State Land Board.

FWP's responses to these requests are as follows:

- 1) Corrections to the draft EA will be made to the document posted on the FWP web site and the EA will be titled FINAL;

- 2) Legal notices, as required by statute, and opportunity for public comment were provided. Additionally the local newspaper the *GLENDIVE RANGER REVIEW* and *THE BILLINGS GAZETTE* ran feature articles on the proposed rifle range relocation. Additional public comment is not required nor warranted for the proposed action.
 - a) Public meetings on the issue of the proposed Makoshika rifle range relocation have been held in Glendive in the recent past as a part of the larger Makoshika Management Planning process. Included in that process was an open house at the Makoshika Visitor Center that dealt extensively with the proposed rifle range relocation issue. The final Makoshika State Park Management Plan was appealed over the rifle range relocation issue specifically. The Montana Fish, Wildlife and Parks Commission heard this appeal in early 2006. The Commission agreed to uphold the Management Plan as written, supporting relocation of the rifle range to an area outside of the park boundaries. A committee of individuals and area sportsmen was then formed for the purpose of investigating potentially suitable locations in the Glendive area outside of Makoshika State Park for a new rifle range. This committee agreed to the location identified in the EA.
 - b) Ample opportunity for public comment has been provided, both during the recent EA process and during the years leading up to this point. Therefore no additional public comment on this proposed action is deemed necessary.
- 3) FWP has gathered and analyzed the public comments from the original comment period. During this period, March 6, 2007 through March 27, 2007, five written comments were received. Four of those commenting supported FWP's preferred alternative of securing a recreation easement on the property mentioned.
- 4) In keeping with 2. b) and numbers 3 and 4 above, no further time is deemed necessary for the FWP to gather additional comments from the public. A final decision was made at the March 28, 2007 FWP Commission meeting when the Commission directed the Department to proceed with the purchase a permanent recreation easement for 357 acres from the Montana Department of Natural Resources and Conservation for the purpose of the future development of a rifle range outside of the boundaries of Makoshika State Park.

DECISION

Based on the analysis in the Environmental Assessment (EA) and the applicable laws, regulations and policies, I have determined that this action, the preferred alternative B, will not have a significant effect on the natural or human environment. Therefore an Environmental Impact Statement will not be prepared.

The draft Environmental Assessment, in corrected format, becomes the final decision for FWP to proceed with the purchase of a permanent recreational easement for 357 acres of land from the Montana Department of Natural Resources and Conservation for the future development of a rifle range on the site. An additional Environmental Assessment will be prepared on the development phase of the rifle range that will provide opportunity for public comment.

Please direct any further requests or questions to Bryce Christensen, Region Seven Supervisor,
or John Little, Region Seven Park Manager.

A handwritten signature in dark ink, reading "Bryce Christensen". The signature is written in a cursive, flowing style.

Bryce A. Christensen
Regional Supervisor